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Economic and Social Council

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Committee on Economic, Social and Cultural Rights

List of issues in relation to the fifth periodic report of Italy*

I. General information

1. Please provide examples, if any, of cases in which the provisions of the Covenant have been invoked before, and applied by, national courts.

2. Please provide information on the progress made in establishing an independent national human rights institution in conformity with the Paris Principles (General Assembly resolution 48/134 of 20 December 1993, annex).

II. Issues relating to general provisions of the Covenant (arts. 1–5)

Article 2, paragraph 1 – Maximum available resources

3. Please provide information on measures taken to mitigate the adverse impact of the austerity measures adopted in response to the financial and economic crisis, in particular on the most disadvantaged and marginalized individuals and groups and with regard to the enjoyment of the rights to work, social security, housing, health and education.

Article 2 – Non-discrimination

4. Please indicate whether the anti-discrimination legislation covers all prohibited grounds of discrimination, in line with article 2, paragraph 2, of the Covenant.

5. Please clarify whether the equality provisions of article 3 of the Italian Constitution apply to non-citizens. Please indicate the steps taken to ensure adequate protection against age discrimination outside employment.

6. Please provide information on measures taken to prevent and prohibit discrimination on grounds of disability, sexual orientation and gender identity in employment and occupation.

* Adopted by the pre-sessional working group at its fifty-fifth session (9–13 March 2015).

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7. Please provide information on the impact of programmes and policies adopted, in particular on the National Strategy for the Inclusion of Roma, Sinti and Traveller Communities in Italy, 2012–2020, to combat marginalization and discrimination against Roma, Sinti and Travellers in the fields of education, employment, housing and health.

8. Please provide information on measures taken to ensure that migrants, including undocumented migrants, and asylum seekers arriving in Italy enjoy their rights under the Covenant without discrimination of any kind.

Article 3 – Equal rights of men and women

9. Please report on the impact of measures taken to increase the representation of women in the national parliament, in the judiciary and the civil service, and in managerial positions.

10. Please provide information on the impact of measures taken to address the wage gap between women and men in both the public and private sectors; and to increase women's participation in certain economic sectors and occupations traditionally dominated by men.

III. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Article 6 – The right to work

11. Please provide information on the measures taken, and their effectiveness: (a) in reducing unemployment, including long-term and youth unemployment; (b) in increasing participation in the labour market of the most disadvantaged and marginalized individuals, and groups such as persons above 50 years of age, minorities, persons with disabilities and former prisoners; and (c) in combating the "brain drain".

12. Please report on steps taken to address the obstacles to women's access to the labour market, their concentration in low-wage sectors, the regional disparities in women's employment rates, and to increase the employment rate for women, including for women with disabilities, in line with the targets set in the Lisbon Strategy (see State party report (E/C.12/ITA/5), para. 184). Please provide information on measures taken, and the impact thereof, to address the issue of resignation without cause (*licenziamento in bianco*)[1] of pregnant women and working mothers, and to combat all discrimination against women on grounds of pregnancy and maternity.

Article 7 – The right to just and favourable conditions of work

13. Please indicate current minimum wage levels, including minimum wages paid in sectors not covered by national collective agreements. Please inform the Committee as to whether the minimum wage provides for a decent living for workers and their families.

[1] See International Labour Organization Committee of Experts on the Application of Conventions and Recommendations Observation (CEACR) – adopted 2012, published 102nd ILC session (2013), available from www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3065438 ; see also Observation (CEACR) – adopted 2013, published 103rd ILC session (2014), available from www.ilo.org/dyn/normlex/es/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID:3149526.

14. Please indicate what measures have been taken to give effect to the principle of equal pay for work of equal value.

15. Please provide information on measures taken to address the wage gap between national and migrant workers.

16. Please report on the impact of pre-emptive measures and sanctions taken to tackle irregular and illegal work. Please provide information on steps taken to address the factors forcing women, including migrant worker women, to work in the informal economy; and to guarantee access for persons employed in the informal economy to basic services, social protection and the enjoyment of their rights under the Covenant.

Article 9 – The right to social security

17. Please provide updated information on the reform of the social safety net system and on the impact of the reform of the social security system (law-decree 201/2011 "Save Italy") on the enjoyment by everyone of the right to social security. Please indicate how the State party has been addressing the adverse impact of the reform of the pensions system on persons (known as *esodati*) who had already opted for retirement and who, following the reform, found themselves without a salary or a pension. Please indicate the extent to which the decision to end the indexation of pensions to the cost of living has affected pensioners' right to a decent living.

18. Please indicate how authorities ensure that social assistance benefits are provided to all those in need and that the monthly amounts allow for a decent living. Please provide information on measures taken to address the disparities in the provision of social services across regions.

19. Please indicate to what extent non-nationals residing in the State party benefit from non-contributory schemes for income support, access to health care and social assistance for families. Please report on the adequacy of minimum levels of family, sickness and old-age benefits.

20. Please clarify whether the announced universal unemployment benefit insurance system (*Assicurazione Sociale per l'Impiego* (ASPI)) has been introduced and report on the adequacy of the minimum unemployment benefit.

Article 11 – The right to an adequate standard of living

21. Please provide statistical data, on an annual basis since 2008, on the percentage of the population living below the poverty line, disaggregated by sex, age, urban/rural population and ethnic group. Please provide information on measures taken, and resources mobilized, to combat poverty, in particular among disadvantaged and marginalized groups, including children and young persons, women, older persons, the working poor, immigrants, the homeless, Roma and ethnic minorities, families with one or more children and households headed by a person seeking employment. Please also report on steps taken to address the level of income inequality across the State party.

22. Please indicate the measures taken (a) to combat homelessness; (b) to address the impact of the high cost of rented housing on the population; (c) to address forced evictions; and (d) to provide social housing for low-income families, without discrimination. Please also report on the impact of measures taken to improve the substandard housing conditions of Roma and Sinti, end the forced evictions and segregation affecting them and provide them with alternative adequate housing.

Article 12 – The right to physical and mental health

23. Please report on measures taken to address the regional disparities in health-care quality, including at the primary health-care level. Please also provide information on measures taken to mitigate the adverse impact of cuts in public health expenditure, and of medical costs borne by users, on the effective access to health care for persons on low or no income.

24. Please report on measures taken to ensure that women's access to legal termination of pregnancy procedures is available in practice, in particular by ensuring that medical practitioners and other health personnel performing such procedures are effectively available to potential patients.

25. Please indicate what measures the State party has been taking (a) to improve and further develop preventive services, including screening programmes, and to address the increase in the prevalence of chronic illnesses; (b) to address the overuse of antibiotics; and (c) to address the high rate of obesity among children.

Articles 13 and 14 – The right to education

26. Please indicate whether the State party is considering increasing rather than decreasing public expenditure on education, and report on measures taken to mitigate the effects of the increase in indirect educational costs on children's access to education. Please also outline the measures taken to address the early school leaving (dropout) rates, especially in the south, and provide statistical data on school dropout rates at various levels of education, disaggregated by age, sex, nationality and urban/rural area.

27. Please provide information on the impact of measures taken (see E/C.12/ITA/5, paras. 495–504) to improve access for Roma and Sinti children to education, including to address their low school enrolment (particularly in secondary school) and their high dropout rate.

Article 15 – The right to culture and to the benefits of scientific progress

28. Please provide information on the steps taken by the State party to ensure the right of all persons, including the disadvantaged and marginalized, to take part in cultural life and to enjoy the benefits of scientific progress and its applications.

29. Please indicate the measures taken by the State party to facilitate access to the Internet for disadvantaged and marginalized individuals and groups.